

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DARIUS KILBY,

Plaintiff

v.

3:20-CV-1009  
(JUDGE MARIANI)

ANGELA HOOVER, et al.

Defendants

ORDER

AND NOW, THIS 21st DAY OF OCTOBER, 2020, upon review of

Magistrate Judge Carlson's Report and Recommendation ("R&R") (Doc. 15) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 15) is **ADOPTED** for the reasons stated therein.
2. Plaintiff's action is **DISMISSED WITHOUT PREJUDICE** for failure to comply with the Court's Orders and for failure to prosecute this action.<sup>1</sup>
3. The Clerk of Court is directed to **CLOSE** this action.



Robert D. Mariani  
United States District Judge

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<sup>1</sup> Magistrate Judge Carlson's reasoning and conclusion that Plaintiff has failed to prosecute and has abandoned this action is further supported by Plaintiff's failure to file any Objections to the pending R&R since its issuance on September 14, 2020.

The Court also agrees with the R&R's findings that an application of the *Poulis* factors further supports the dismissal of this action. See Doc. 15, at 5-11; *Poulis v. State Farm Fire and Cas. Co.*, 747 F.2d 863 (3d Cir. 1984).